

SCOTT N. SCHOOLS (SC 9990)  
Associate Deputy Attorney General  
Acting United States Attorney

KYLE F. WALDINGER (ILSB 6238304)  
Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor  
San Francisco, California 94102  
Telephone: (415) 436-6830  
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR 08-0237 MHP

Plaintiff, )

v. )

BECKY CHRISTIAN, )

Defendant. )

PARTIES' JOINT REQUEST TO CONTINUE  
SENTENCING DATE AND ~~PROPOSED~~  
ORDER

It is hereby stipulated by and between counsel for the United States, Assistant U.S. Attorney Kyle F. Waldinger, and counsel for the defendant Becky Christian, Steven M. Bauer and John F. Walsh, that, subject to the Court's approval, the sentencing hearing presently set for February 9, 2009, be continued and set for a sentencing hearing on June 1, 2009, at 9:00 a.m. The United States has previously determined from reviewing the Court's publicly posted scheduling information that the Court is currently available for a hearing on that date. The assigned probation officer, Constance Cook, also has been consulted with respect to this date and has indicated that she is available on that date.

The defendant Becky Christian pled guilty pursuant to a plea agreement on July 24, 2008, to one count of conspiracy to misappropriate, receive, possess, and transmit trade secrets, gain unauthorized access to a protected computer, exceed authorized access to a protected

1 computer, and traffic in a password allowing unauthorized access to a protected  
2 computer. The case was referred to the Probation Office for a presentence report. The plea  
3 agreement also includes standard terms of cooperation.

4 In light of continuing cooperation under the terms of the plea agreement, the parties  
5 jointly request that the sentencing status hearing on February 9, 2009, be continued for a  
6 sentencing hearing on June 1, 2009. Additional time is needed for the defendant to complete her  
7 cooperation with the government. Specifically, the co-defendant in this matter — David Nosal  
8 — has recently filed pretrial dispositive motions; his trial date has not yet been set. When the  
9 Nosal matter does proceed to trial, the defendant Christian is expected to testify in that matter.  
10 Because Ms. Christian will be required to testify at trial, her cooperation with the government's  
11 investigation is not yet complete.

12 For all of these reasons, the parties jointly request that this Court vacate the sentencing  
13 hearing presently set for February 9, 2009, and set a sentencing hearing for June 1, 2009, at 9:00  
14 a.m. In addition, the parties jointly request that the due dates for the presentence report be  
15 calculated using the new sentencing date.

16 SO STIPULATED.

17 Dated: January 16, 2009

SCOTT N. SCHOOLS  
Acting United States Attorney

18  
19 /s/

20 KYLE F. WALDINGER  
Assistant United States Attorney

21 SO STIPULATED.

22 Dated: January 16, 2009

/s/

23 STEVEN M. BAUER  
JOHN F. WALSH  
Attorneys for defendant Becky Christian

~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING,

IT IS ORDERED that the sentencing status hearing presently set for February 9, 2009, be continued to June 1, 2009, at 9:00 a.m. The final presentence report should be disclosed two weeks prior to the sentencing date.

Dated this 20th day January, 2009

